

**FILED**

MAY -9 2008

CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

**E-FILED**

JOSEPH P. RUSSONIELLO (CSBN 44332)  
United States Attorney

BRIAN J. STRETCH (CSBN 163973)  
Chief, Criminal Division

SUSAN KNIGHT (CSBN 209013)  
Assistant United States Attorney

150 Almaden Blvd., Suite 900  
San Jose, California 95113  
Telephone: (408) 535-5056  
FAX: (408) 535-5066  
Susan.Knight@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN HENRY BRUNO,

Defendant.

Case No. CR 08-00041 RS

UNITED STATES' REQUEST TO  
VACATE WARRANT AND ~~PROPOSED~~  
ORDER TO VACATE WARRANT

On April 17, 2008, the Court issued a bench warrant for defendant John Bruno for failing to appear on April 10, 2008. Undersigned counsel learned today from Assistant Federal Public Defender Nicholas Humy, who represents the defendant, that the defendant has been homeless and recently contacted AFPD Humy regarding his pending criminal case. Because of the defendant's personal circumstances, the government respectfully requests that the Court vacate the bench warrant and allow the defendant to voluntarily make an appearance in court. AFPD Humy has told the defendant to appear on May 15, 2008 at 9:30 a.m. before the Honorable Judge Trumbull. If the defendant fails to appear at that time, the government will again request that a

U.S.' REQUEST TO VACATE WARRANT  
CR 08-00041 RS

1 bench warrant be issued.

2 Respectfully submitted,

3 JOSEPH P. RUSSONIELLO  
4 United States Attorney

5  
6 Dated: 5/9/08


7 /s/  
8 SUSAN KNIGHT  
9 Assistant United States Attorney

10 ORDER

11 Based on the above, the Court HEREBY ORDERS the bench warrant for defendant John  
12 Bruno is vacated.

13 IT IS SO ORDERED.

14 Dated: 5-9-08

15   
16 RICHARD SEEBORG  
17 United States Magistrate Judge